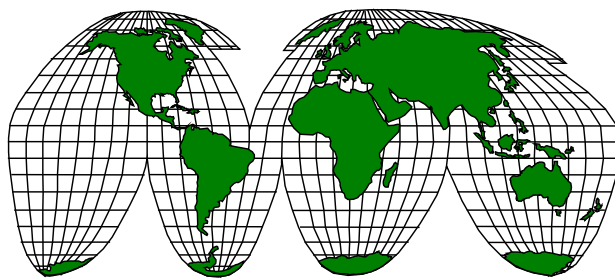


**ABA SECTION OF INTERNATIONAL LAW AND PRACTICE, EXPORT CONTROLS  
AND ECONOMIC SANCTIONS COMMITTEE AND THE CORPORATE COUNSEL  
COMMITTEE**

**WITH THE COOPERATION OF  
THE AMERICAN CORPORATE COUNSEL ASSOCIATION (BAY AREA CHAPTER)  
AND  
THE INTERNATIONAL LAW SECTION  
OF THE STATE BAR OF CALIFORNIA**

**Monday, January 28, 2002, 8:30 a.m. – 5:30 p.m.  
Marriott Fisherman's Wharf, San Francisco, CA**



## **Export Controls: Emerging Trends and Compliance Challenges**

### **Program Agenda**

**8:30    Welcoming Remarks and Overview of Legal and Policy Issues**

*William M. McGlone, Esq.*, Partner, Miller & Chevalier (Washington, DC)

*David L. Teichmann, Esq.* Vice President, General Counsel & Secretary, GRIC Communications, Inc.  
(Milpitas, CA)

**9:00    The Legal and Regulatory Framework**

*Anne Connaughton, Esq.*, Office of Chief Counsel, Bureau of Export Administration, U.S.  
Department of Commerce (Washington, DC) (invited)

*Lisa Bronson*, Deputy Undersecretary of Defense Technology Security Policy, U.S. Department of Defense  
(Arlington, VA) (invited)

**Moderator:** *William M. McGlone, Esq.*, Partner, Miller & Chevalier (Washington, DC)

Legislative update; Expanded penalties for violations; Regulatory overview; Relevant prohibitions and exceptions; Interagency rulemaking, licensing, and enforcement; Internal restructuring of agencies

**10:00    Morning Coffee Break**

**10:15    Controls on Technology, Software, and Services**

*Matthew S. Borman, Deputy Assistant Secretary for Export Administration, Bureau of Export Administration, U.S. Department of Commerce (Washington, DC)*

*Howard Freedland, Esq., Vice President and General Counsel, Silicon Image, Inc. (Sunnyvale, CA)*

**Moderator: Benjamin H. Flowe, Esq., Partner, Berliner, Corcoran & Rowe, L.L.P. (Washington, DC)**

**Determining whether technology is controlled — and to what destinations; Encryption export controls; How exports of technology occur; On-line commerce and email issues; Public availability exception**

**11:15 Deemed Exports: Transfers of Technology to Foreign Nationals**

*Larry Christensen, Esq., Vice President of International Trade Content, Vastera Inc. (Dulles, VA)*

*Susan M. Frank, Esq., Deputy General Counsel, SAIC (McLean, VA)*

*Brett Herr, Esq., Assistant General Counsel, Nikon Precision, Inc. (Belmont, CA)*

**Intracompany technology transfers; Deemed export rule defined; Deemed exports vs. actual exports of technology and software; Examples of deemed exports; Exemptions; Practical solutions**

**12:15 Luncheon and Luncheon Address: “The Future of U.S. Nonproliferation Policy for Weapons of Mass Destruction”**

*Rose Gottemoeller, Senior Associate, Carnegie Endowment for International Peace (former Assistant Secretary, U.S. Department of Energy) (Washington, D.C.) (invited)*

**2:00 Sanctions and Embargoes in a Shrinking World**

*Jay Clemens, Esq., Vice President and Deputy General Counsel, International, eBay, Inc. (San Jose, CA)*

*William L. Clements, Counsel, International Trade Regulation, General Electric Company (Washington, D.C.)*

*Serena D. Moe, Senior Compliance Counsel for Citigroup, Inc. (New York, N.Y.)*

**Far-flung reach of U.S. sanctions; Financial and on-line transactions; Mergers and acquisitions; Transaction screening and due diligence; Trends in sanctions laws and policies: Gradual loosening?**

**3:00 Enforcement Climate and Techniques**

*Elizabeth de la Vega, Esq., Assistant United States Attorney, U.S. Department of Justice (San Jose, CA) (invited)*

*Stephen E. Smith, Esq., Vice President and General Counsel, Lockheed Martin Space Systems Company (Littleton, CO)*

*Robert Sims, Esq., Partner, McCutchen, Doyle, Brown & Enerson, LLP (Palo Alto, CA)*

*Edward L. Rubinoff, Esq., Partner, Akin, Gump, Strauss, Hauer & Feld, L.L. P. (Washington, DC)*

**Heightened enforcement activity; Coping with violations; Self-reporting; Mitigating fines and penalties; Settlements; Criminal liability and prosecution**

**4:15 Compliance Programs for High Tech Companies**

*Michael Marchant, Esq., Director of Legal Affairs & Corporate Counsel, ENTEGRITY Solutions Corp. (San Jose, CA)*

*Larry Christensen, Esq., Vice President of International Trade Content, Vastera Inc. (Dulles, VA)*

*John McKenzie, Esq., Partner, Baker & McKenzie (San Francisco, CA)*

*John Liebman, Esq., Of Counsel, McKenna & Cuneo (Los Angeles, CA)*

**State-of-the-art compliance programs; On-line screening and software programs; New challenges for internal compliance functions; Integrating compliance with new technology and business culture; Audits and compliance assessments**

5:15 Closing Remarks

5:30 Conference Adjourns

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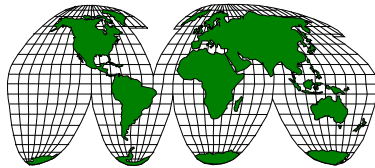
740 15th Street NW, Washington, DC 20005 USA  
Telephone: 202 662-1727 Fax: 202 662-1669 E-mail: [hulsej@staff.abanet.org](mailto:hulsej@staff.abanet.org)

**HOTEL ACCOMMODATION:** A limited number of rooms have been reserved at the San Francisco Marriott at Fisherman's Wharf, 1250 Columbus Avenue, at the rate of \$179 plus taxes. Please contact the hotel at (415) 447-7516 to reserve your accommodation.

**MCLE:** Accreditation has been requested for the Export Controls Program from every state with general mandatory continuing legal education requirements for all lawyers. All appropriate paperwork will be available at the registration desk.

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This first-ever ABA program on export controls will focus on new and emerging issues and compliance challenges, with an emphasis on how these restrictions apply to high tech companies and technology transfers in the age of the Internet. The program includes speakers from the U.S. Departments of Commerce, State, Defense, and Justice, as well as representatives of companies in the technology sector. In addition to probing the legal and policy issues of the day, the program will offer practical insights on how to effectively comply with these increasingly complex and far-reaching rules. TOPICS WILL INCLUDE: Agency jurisdiction, rulemaking, and licensing; International technology transfers and "deemed exports"; Application of controls to on-line commerce transactions; Expanding anti-terrorism controls; Encryption export controls; Reexports of U.S. goods, software, and technology; Economic sanctions and embargoes; State-of-the-art compliance programs; Screening transactions against red flags; Handling potential violations; Voluntary disclosures; Enforcement

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***San Francisco, CA -- January 28, 2002***  
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